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0507.395

EXPRESS MAIL LABEL NO.: EV 485807900 US PATENT APPLICATION
Docket No.: 15436.247.11.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL FOR SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT



Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

Form PTO-1449 list of 14 references submitted for consideration.

Legible copies of the listed references or their relevant portions.

All English translations of each non-English reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.

Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.

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EXPRESS MAIL LABEL NO.: EV 485807900 US PATENT APPLICATION
Docket No.: 15436.247.11.1

Statement that certain listed references not enclosed were previously cited by or submitted to the Office in the identified prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

Legible Copies of previously filed Information Disclosure Statement for application Serial No. 10/420,027, filed April 17, 2003.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

Promptness Certification.

Check No. _____ in the amount of \$_____ constituting submission fee under 37 C.F.R. 1.17(p);

Petition for Consideration and Check No. _____ in the amount of \$_____.

In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Promptness Certification meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 17 day of January, 2005.

Respectfully submitted,



Eric L. Maschoff
Attorney for Applicant
Registration No. 36,596
Customer No. 022913

EXPRESS MAIL LABEL NO.: EV 485807900 US

PATENT APPLICATION
Docket No.: 15436.247.11.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RE-APPLICATION OF:

Hofmeister, et al)	
Serial No.:	10/697,395) Art Unit
) 2661
Filed:	October 30, 2003)
Confirmation No.:	7465)
For:	AUTOMATIC SELECTION OF DATA)
	RATE FOR OPTOELECTRONIC)
	DEVICES)
Examiner:	Unknown)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record

believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the non-patent listed references or relevant portion thereof is also enclosed.

Since all listed references are either in the English language or are accompanied by a translation into English, no concise explanation of relevance is required under 37 C.F.R. § 1.98(a)(3).

Statement of References Previously Disclosed
Under 37 C.F.R. § 1.98(d)

The following listed references are not enclosed because, under 37 C.F.R. § 1.98(d), they were previously cited by or submitted to the Office in application number 10/420,017, filed on April 17, 2003, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

This Information Disclosure Statement is being filed within three months of the filing date of the Application or before a first Office Action on the merits has been received, therefore, no fee is believed to be due. Please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 4th day of January, 2005.

Respectfully submitted,



Eric L. Maschoff
Attorney for Applicant
Registration No. 36,596
Customer No. 022913

ELM/tat
TAT000000594V001

EXPRESS MAIL LABEL NO.: EV 4858070900 US

Form PTO-1449

Sheet 1 of 4

Applicant: Hofmeister, et al.

Serial No.: 10/697,395

Att'y Docket No.: 15436.247.11.1

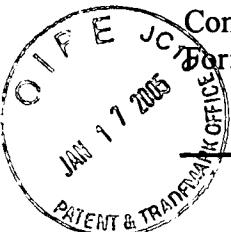
Filing Date: October 30, 2003

Group: 2661 2613

Confirmation No.: 7465

For:

AUTOMATIC SELECTION OF DATA RATE FOR OPTOELECTRIC
DEVICES



SUPPLEMENTAL INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue/Publication Date</u>	<u>Name</u>
/M.R.S./ 1	5,854,704	12/29/1998	Grandpierre
/M.R.S./ 2	6,256,127 B1	07/03/2001	Taylor
/M.R.S./ 3	4,932,038	06/05/1990	Windus
/M.R.S./ 4	2002/0021468 A1	02/21/2002	Kato et al.
/M.R.S./ 5	2002/0060824 A1	05/23/2002	Liou et al.
/M.R.S./ 6	2003/0053170 A1	03/20/2003	Levinson et al.

Foreign Patent Documents

NONE

Examiner: /M. R. Sedighian/

Date Considered: 05/20/2008

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EXPRESS MAIL LABEL NO.: EV 4858070900 US

Form PTO-1449

Sheet 2 of 4

Applicant: Hofmeister, et al.

Serial No.: 10/697,395

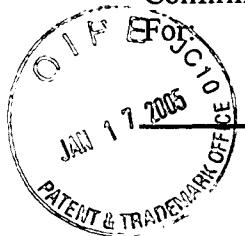
Att'y Docket No.: 15436.247.11.1

Filing Date: October 30, 2003

Group: 2661 2613

Confirmation No.: 7465

AUTOMATIC SELECTION OF DATA RATE FOR OPTOELECTRIC
DEVICES



Other Documents
(including author, title, pertinent pages, etc.)

Examiner
Initial*

/M.R.S./ 7 *LXT16706/16707 SerDes Chipset*, Intel Products,
www.intel.com/design/network/products/optical/phys/lxt16706.htm, April 19,
2002.

/M.R.S./ 8 *LXT35401 XAUI-to-Quad 3.2G Transceiver*, Intel Products,
www.intel.com/design/network/products/optical/phys/lxt35401.htm, April 19,
2002.

/M.R.S./ 9 Texas Instruments User's Guide, *TLK2201 Serdes EVM Kit Setup and Usage*,
Mixed Signal DSP Solutions, July 2000.

/M.R.S./ 10 Texas Instruments User's Guide, *TLK1501 Serdes EVM Kit Setup and Usage*,
Mixed Signal Products, June 2000.

/M.R.S./ 11 National Semiconductor DS92LV16 Design Guide, *Serializing Made Simple*,
February 2002.

/M.R.S./ 12 Vaishali Semiconductor, *Fibre Channel Transceiver*, VN16117, MDSN-0002-02,
08/09/2001.

/M.R.S./ 13 Fairchild Semiconductor, Application Note 77, *CMOS, the Ideal Logic Family*,
January 1983.

Examiner: /M. R. Sedighian/

Date Considered: 05/20/2008

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EXPRESS MAIL LABEL NO.: EV 4858070900 US

Form PTO-1449

Sheet 3 of 4

Applicant: Hofmeister, et al.

Serial No.: 10/697,395

Att'y Docket No.: 15436.247.11.1

Filing Date: October 30, 2003

Group: ~~2661~~ 2613

Confirmation No.: 7465

For: AUTOMATIC SELECTION OF DATA RATE FOR OPTOELECTRIC
DEVICES

/M.R.S./14 Analog Target Specification, Annex 48B, Published by IEEE New York, 05/2001,
pp. 6-14.

Examiner: /M. R. Sedighian/

Date Considered: 05/20/2008

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line
through citation if not in conformance and not considered. Include copy of this form with next communication to
applicant.

EXPRESS MAIL LABEL NO.: EV 4858070900 US

Form PTO-1449

Sheet 4 of 4

Applicant: Hofmeister, et al.

Serial No.: 10/697,395

Att'y Docket No.: 15436.247.11.1

Filing Date: October 30, 2003

Group: 2661 2613

Confirmation No.: 7465

For: AUTOMATIC SELECTION OF DATA RATE FOR OPTOELECTRIC
DEVICES

References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

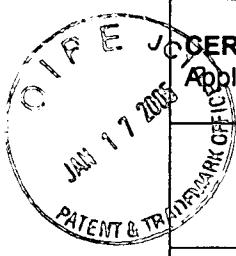
The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

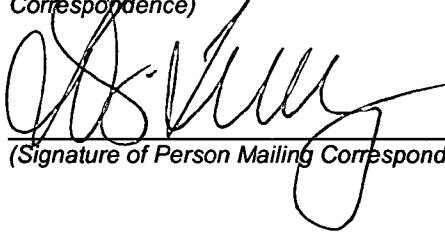
TAT0000000592V001

Examiner: /M. R. Sedighian/

Date Considered: 05/20/2008

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s): EV 485807900 US				Docket No. 15436.247.11.1
Serial No. 10/697,395	Filing Date October 30, 2003	Confirmation No. 7465	Examiner Unknown	Group Art Unit 2661
Invention: AUTOMATIC SELECTION OF DATA RATE FOR OPTOELECTRIC DEVICES				
<p>I hereby certify that the Transmittal letter (2 pages) (in triplicate); Information Disclosure Statement (2 pgs); Form PTO-1449 Listing all Cited References (4 pgs); Legible Copies of previously submitted Information Disclosure Statement (4 pgs); and postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>January 17, 2005</u>.</p>				
<p>Tobi Terry</p> <p>(Typed or Printed Name of Person Mailing Correspondence)</p>  <p>(Signature of Person Mailing Correspondence)</p>				
<p>EV 485807900 US</p> <p>("Express Mail" Mailing Label Number)</p> <p>EV485807900US</p>				
<p>TAT0000000595V001</p>				